SAMPLE

SITE OPERATING PLAN FOR CHAT PROCESSING

[NAME OF CHAT PILE]

[Note: EPA is providing this sample operations plan to assist operators in complying with existing State or Federal regulations that would apply for chat processing of chat loading operations at the Tar Creek Site. The operations of **c**hat washing and/or chat loading facilities are not considered part of the remedial action for the Tar Creek Site as described in the February 20, 2008, Record of Decision Operable Unit 4. These types of operations, if on non-Indian land are covered under the State of Oklahoma's general fugitive air and general non-point source discharge regulations. These regulations exist and apply independent of the ROD. The ROD **does** cover the movement and sales of chat at the Tar Creek Site. If chat is sold, it must follow the certification and record keeping requirements described in the ROD (Section 19.2.2. If chat is transported off-site, the facility that receives the chat must comply with the Off-site Rule (40 CFR §300.440).**]**

I. Site Information

[*Provide a brief description of the location of the chat pile, existing mill pond and water pond, process area, surrounding of the site, storm water outfalls, hauling routes, and subsidence features*[1] *on or near the site.*]

Attach Site Plan and plat of site showing location of chat piles(s), subsidence features, access roads, and other appropriate information..

II. Operations Plan

A. Chat Processing Procedures

[*Describe chat process, such as removal, sieving, washing, loading and products or waste streams generated. Include a waste management plan for wash water, fines, debris, and drag sands.*]

B. Equipment

[*List all equipment, associated with the chat operations, to be used at the site (e.g. screens, conveyors).*]

C. Roads

[*Describe the roads to be used to access the site, and trucking route.*]

Chat processor should consult with the U.S. Army Corps of Engineers, Tulsa District regarding subsidence concerns and with the Ottawa County Commissioner in

[1] PICHER MINING FIELD, NORTHEAST OKLAHOMA SUBSIDENCE EVALUATION REPORT, January 2006, U.S. Army Corps of Engineers, Tulsa District

designation of hauling routes.

D. Site Access Control

[*Describe procedures to be employed to control unauthorized entries.*]

E. Dust Mitigation

The site operator is responsible for complying with the Federal/State Air Quality program for the Fugitive Dust Mitigation and implementing site engineering controls, as necessary.

It is the responsibility of the operator to prevent off-site emissions of dust from site activities. To minimize emissions of fugitive dust associated with chat processing, the site operator should ensure the compliance of the following procedures:

1. Water trucks, mist curtains, and/or foam blankets should be utilized to minimize dust generated from chat operations on the property. Water for dust suppression should be available at the site during all chat operations. Activities that may require dust mitigation may include clearing the site, moving or loading equipment operation, and on-site truck traffic.

2. Unpaved roads and chat operation areas on the property should be sprayed with water or a petroleum-based emulsion commonly referred to as "Tack Coat." Tack Coat should be applied to these areas monthly or more frequently, as needed, for dust suppression during chat operations. Tack Coat should be applied at the end of each sale period to minimize blowing dust from the property or the chat pile once operations cease.

3a. To minimize blowing dust from the excavation and loading of chat, areas identified for excavation should be sprayed with water before they are excavated, during excavation, and at the end of each day.

3b. During windy periods, if dust is visible leaving the site boundary and wetting of the operations area is not effective, the operator should either cease operations, or move the operations to an area less affected by wind (i.e. to the opposite side of the chat pile).

3c. If unable to control visible dust leaving the site boundary after wetting the excavated areas, the operator should shut down operations. Operations may commence when no visible dust is observed.

4. To prevent release of fugitive dust, trucks hauling chat should be covered with tarps.

5. Trucks should be inspected and washed, if necessary, prior to leaving the site to prevent tracking of soil or chat onto public roads. Large gravel should be placed at the property exit to the public road to help control tracking of chat from truck wheels. Trucks on unpaved surfaces should not exceed 10 mph.

6. If homes or businesses are located within 100 feet of the chat processing area, more frequent wetting with water may be required to prevent blowing dust.

The EPA or its representative will randomly conduct air monitoring at the site during chat processing to assess air quality and the effectiveness of dust mitigation measures implemented by the operator.

F. Storm Water Controls

The site operator is responsible for complying with the Federal/State storm water program, including any required plans or permits, and implementing the following site controls:

1. Storm water controls include silt fences, hay bales, and/or constructed earthen berms will be established at the process area and storm water outfalls to mitigate any discharges of storm off the Site during storm events. The locations of the process area, storm water outfalls, and storm water control structures should be shown on the Site Plan.

2. Storm water retention ponds and process water ponds shall be constructed with material that will mitigate seepage. These ponds shall be designed to retain excess water resulting from a 25-year storm event.

3. Stockpiles of processed chat will be contained in the process area to prevent spread of contamination.

4. Petroleum products and other liquids associated with vehicles and/or equipment operation and maintenance will be stored in a storm resistant shelter. Any spills of these materials will be cleaned up immediately.

5. Storm water control structures will be maintained at all times and inspected by the site operator weekly and after each storm event. Any deficiencies detected will be corrected as soon as practical, but no later than 14 days after the inspection.

6. After a major storm event, the storm water pollution prevention plan at the site will be evaluated; improvements identified as a result of the review will be implemented.

G. Storage/Disposal of Waste Material

Waste material (including previously dumped items, timber, scrap metal, mining remnants) generated from chat processing will be consolidated and stored at a designated location. Storm water runoff from this area will be controlled as part of the site-wide storm water pollution prevention plan.

H. Spill Prevention and Response Procedures

Attach the Spill Prevention and Response plan.

[*The Plan should include specific contingency measures and response to address unintended releases from stored petroleum products, source water, process water, sediment and storm water.*]

I. Worker Health and Safety Plan

Chat processing is regulated by Mine Safety and Health Administration (MSHA). The chat processors shall comply with the health and safety requirements as specified in 30 CFR parts 47 and 56.

J. Recordkeeping

[*A daily log will be kept at the site to document daily activities. The log will include but is not limit to the following:*

1. *Date;*

2. *Weather condition (e.g. hot, dry, windy, rain)*

3. *Names of site manager and other personnel at the site;*

4. *Description of any notable activity during the day (i.e. inspections, dust suppression activities, alteration of process area, alteration of work schedule, equipment maintenance, security issues, accidents, etc.); and*

5. *Results of weekly inspections of storm water control structures, and actions initiated to correct and improve the deficiencies identified.]*

All records will be made available for review by EPA, ODEQ and/or BIA as needed.

K. Certification and Recordkeeping of Acceptable Uses of Chat

1. The site operator should inform the chat buyer/user of acceptable uses described in the Chat Rule, 40 CFR Part 278, and its preamble, and the

EPA June 2007 Fact Sheet entitled: "Tar Creek Superfund Site, Tri-State Mining district – Chat Mining Waste".

2. The chat buyer/user shall submit a signed, written certification to the environmental regulatory agency in the State where the chat is to be used and the EPA RPM of Tar Creek Superfund Site within 30 days of the date of acquisition. If the chat is sold or transferred to another party, the acquirer shall provide a copy of the certification to the new owner of the chat. The new owner shall submit a certification according to § 278.4(a)(1). The new certification supersedes all previous certifications.

The certification shall contain the following:

a. Location of origin of the chat;

b. Amount of chat acquired; and

c. Certification Statement: I certify under penalty of law that the chat used in this transportation project (or other project – specify) will meet EPA criteria found in 40 CFR Part 278, §278.3, and the EPA June 2007 Fact Sheet entitled: "Tar Creek Superfund Site, Tri-State Mining district – Chat Mining Waste".

3. The site operator will maintain a copy of the certification for three years.

L. Off-Site Rule

Chat that is transported outside the boundary of the Tar Creek Site must comply with the Off-site Rule (40 CFR §300.440). Prior to transportation of the chat, the chat owner/operator must obtain an acceptability determination from the EPA regional office for receiving facility.

M. Site Cleanup and Closure

Once chat processing at the site is terminated or all of the marketable chat in a pile has been processed, the Operator will close that portion of the site. Closure will include removing all equipment, tools, vehicles, structures used for operation, and any other items and/or waste products placed at the site by the Operator. Permanent storm water control structures will be left in place to mitigate any runoff of remaining chat from the site. Additionally, the Operator will contour any disturbed portion of a chat pile that remains at closing, to minimize release of dust during high wind events and to minimize runoff during rain events.

N. Oversight

The site operator will work with the EPA, ODEQ and/or BIA and the Quapaw Tribe of Oklahoma (O-Gah-Pah for sites on land held in trust) as needed, to ensure that

this Operating Plan is updated when conditions or procedures change and to ensure compliance with the procedures described in the Operating Plan.

The site operator shall notify EPA, ODEQ and/or BIA and the Quapaw Tribe if applicable within 14 days of modification of the Plan.

The site operator shall provide site access to local, state, federal representatives and Quapaw Tribe (on land held in trust) at their request.